

Message Text

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C O N F I D E N T I A L STATE 061781

FOLLOWING REPEAT NASSAU 0486 SENT ACTION SECSTATE INFO
BRIDGETOWN SECDEF CNO COMDT COGARD CSAF JCS CINCLANT
MAR 07.

QUOTE C O N F I D E N T I A L NASSAU 0486

ARA FOR DEPUTY ASSISTANT SECRETARY SHELTON

E.O. 11652C GDS
TAGS: MARR BF
SUBJ: BAHAMAS MILITARY FACILITIES NEGOTIATIONS, MARCH 6-7

REF: NASSAU 0485

1. THE SECOND AND THIRD MEETING OF THE MARCH
6-7 TECHNICAL NEGOTIATIONS PRODUCED SOME
PROGRESS ON THE LINE-BY-LINE REVIEW OF THE
NOV 6, 1973 U.S. (SECOND) DRAFT TEXT. REVIEW
OF THE "FACILITIES PROVISIONS" DRAFT WAS
COMPLETED IN THE MORNING MEETING, AND THE
"COMMON PROVISIONS" DRAFT WAS REVIEWED IN THE
AFTERNOON. AN UPDATED DRAFT "LEASE" WAS GIVEN
TO THE GCOB TEAM AND EXPLAINED. THE GCOB
INDICATED THAT IT WOULD RESPOND TO THE DRAFT
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"LEASE" AFTER REVIEW WITHIN ITS MINISTRIES.

2. THE BAHAMIAN TEAM - WHOSE SPOKESMAN WAS
DR. DANIEL O'CONNELL -- RAISED DOZENS OF MINOR
POINTS OF DEFINITION AND INTERPRETATION, BUT
OFFERED FEW SERIOUS OBJECTIONS TO THE BASIC
TEXTS OF THE DOCUMENTS. THEY ALSO RAISED FEW

QUESTIONS ON THE REVALIDATED OFFER OF LAND
TURNBACK.

3. THE U.S. TEAM -- LED BY JIM PARKER --
UNDERScoreD AT OPENING OF SESSION THAT A WRITTEN
PRESENTATION OF EACH GCOB PROPOSED TEXTUAL CHANGE,
INCLUDING GCOB RATIONALE FOR THE CHANGE, WOULD BE
REQUIRED FOR USG CONSIDERATION. THIS WAS ACCEPTED
AS PROCEDURAL BASIS FOR THIS ROUND OF DISCUSSIONS,
ALTHOUGH RESERVATION WAS EXPRESSED THAT THIS WOULD
BE SUBJECT TO CABINET DECISION.

OPERATING RIGHTS DISCUSSION POSTPONED
4. AT BEGINNING OF SUBSTANTIVE TALKS, THE GCOB
TEAM REQUESTED A REVIEW OF THE TWO-PAGE 1973
DRAFT ON "OPERATING RIGHTS," SAYING THAT ADDERLEY
WANTED THAT ISSUE ADDRESSED BEFORE OTHER TECHNICAL
ISSUES BECAUSE OF ITS IMPLICATION FOR MARITIME
BOUNDARY AND LAW OF THE SEA ISSUES. THE U.S.
TEAM SAID IT FELT THE OPERATING RIGHTS ISSUE
WAS NOT A TECHNICAL BUT A POLITICAL ISSUE
THAT COULD BE BETTER ADDRESSED IN HIGHER-LEVEL
NEGOTIATIONS. DISCUSSION OVER THIS ISSUE BECAME
VERY SENSITIVE, AND THE GCOB DELEGATION ORIGINALLY
STATED THERE WOULD BE NO PURPOSE IN CARRYING ON
DISCUSSIONS ON OTHER ISSUES SINCE THEY ALL WOULD
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DEPEND UPON A RESOLUTION OF THE OPERATING RIGHTS
MATTER. WHEN THE U.S. SIDE THEN OFFERED TO
LISTEN TO A GCOB PRESENTATION OF ITS VIEWS,
PROFESSOR O'CONNELL DEMURRED, STATING HE EXPECTED
TO NEGOTIATE, NOT LECTURE TO A CAPTIVE AUDIENCE.
WHEN THE GCOB TEAM WITHDREW TO CONSULT WITH
MINISTER ADDERLEY FOR INSTRUCTIONS, THERE WAS
EVERY EXPECTATION THAT THE TALKS WOULD END AT
THIS POINT. HOWEVER, THE GCOB RETURNED WITH
THE DIRECTION TO CONTINUE ON, LEAVING THE ISSUE
FOR FUTURE TALKS.

5. OTHER MAJOR ISSUES WERE NOT ADDRESSED
DIRECTLY, BUT WERE TOUCHED ON AS THEY EMERGED
DURING THE REVIEW OF THE TEXTS. DURING DIS-
CUSSION OF THE DRAFT TERMINATION DATE, THE U.S.
TEAM REAFFIRMED ITS DESIRE FOR AN AGREEMENT
DURATION OF FIFTEEN YEARS FROM THE DATE OF
SIGNING OF A NEW AGREEMENT, TO WHICH THE
GCOB TEAM MADE NO COMMENT.

FOLLOW-UP

6. PROFESSOR O'CONNELL REQUESTED U.S. SIDE TO PROVIDE THE GCOB WITH A MEMORANDUM EXPLAINING HOW THE CIVIL LIABILITY PROVISIONS OF THE S.O.F.A. WOULD BE APPLIED; WE AGREED TO DO SO. THE GCOB INDICATED IN THE SUMMING UP THAT IT WOULD PROVIDE WRITTEN JUSTIFICATIONS AND SUGGESTED LANGUAGE FOR ITS PROPOSED CHANGES IN THE TEXTS OF THE SECTIONS OF THE AGREEMENT.

7. THE U.S. INDICATED ITS WILLINGNESS TO RECON-
VENE NEGOTIATIONS AS EARLY AS CONVENIENT TO THE
GCOB AND SUGGESTED THE WEEK OF APRIL 10-14 IN
EITHER WASHINGTON OR NASSAU. THE BAHAMIANS
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SAID THEY COULD NOT SET A SPECIFIC DATE, BUT WOULD
CONTACT THE U.S.G. WHEN THEY COULD. THE GCOB
ALSO SAID ITS RESOURCES WOULD BE STRETCHED VERY
THIN BY THE UPCOMING LAW OF THE SEA NEGOTIATIONS,
WHICH ARE NOW SCHEDULED FOR MID-MARCH THROUGH
MID-MAY 1978.

8. THE U.S. TEAM PROPOSED AND THE GCOB TEAM
CONCURRED THAT THE AGENDA FOR THE NEXT
NEGOTIATION SESSION WOULD BE:

- A. FOLLOW-UP ON TECHNICAL ISSUES RAISED
IN THE GCOB WRITTEN PROPOSED CHANGES
TO THE 1973 U.S. SECOND DRAFT AND THE
U.S. MEMORANDUM OF LAW ON CIVIL
LIABILITY.
- B. COMPREHENSIVE RESPONSE TO THE 1975
U.S. OFFER.
- C. REVIEW OF OPERATING RIGHTS.

9. THE GCOB TEAM RAISED NO OBJECTION TO A
UNILATERAL U.S. PRESS RELEASE ON THIS ROUND
OF THE DISCUSSIONS, BUT INDICATED IT DID NOT
WANT TO MAKE A JOINT RELEASE.
SCHWARTZ UNQUOTE VANCE

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